

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 17-47095

DARRELL PARNELL,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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**ORDER DETERMINING THE AMOUNT OF ATTORNEY FEES THE DEBTOR MUST  
PAY BASED ON THE COURT'S OCTOBER 13, 2021 CONTEMPT ORDER, AND  
JUDGMENT AGAINST THE DEBTOR**

This case came before the Court for three telephonic hearings, held on August 18, 2021, September 15, 2021, and October 13, 2021, on the Chapter 7 Trustee's motion entitled "Motion For Contempt of Court" (Docket # 84, the "Motion"). Confirming action taken by the Court during the October 13, 2021 hearing, and for the reasons stated on the record by the Court during that hearing, the Court entered an Order on October 13, 2021 (Docket # 96), finding the Debtor in civil contempt, for failure to fully comply, on a timely basis, with the Court's Order entitled "Order to Produce Documents and Extending Deadline to File Objections to Debtor's Discharge," filed December 9, 2020 (Docket # 76, the "December 9, 2020 Order").

The Court then entered a second order on October 13, 2021 (Docket # 97), which provided that "the Debtor must pay some or all of the reasonable attorney fees and expenses incurred by the Chapter 7 Trustee in filing and prosecuting the Motion. The Court will determine, in its discretion, what percentage the Debtor must pay of such reasonable attorney fees and expenses in a future order. The amount of the reasonable attorney fees also will be determined in a future order, and will be determined by the following procedure: . . ." Following the procedure spelled out in the second order, the Trustee filed his itemization of fees and expenses, on October 14, 2021 (Docket # 100, the "Itemization"). The Debtor had until October 29, 2021 to "file any objections or response to the Chapter 7 Trustee's itemization." The Debtor filed a response on October 26, 2021 (Docket # 101, the "Response").

The Court has reviewed the Trustee's Itemization, and the Debtor's Response, and the Court finds and concludes as follows:

A. The fee amount reflected in and supported by the Itemization, in the amount of \$3,237.50, is the amount of the reasonable attorney fees incurred by the Chapter 7 Trustee in filing and prosecuting the Motion. (The Itemization does not itemize or claim any expenses). The Court finds the work performed, the number of hours, and the hourly rate reflected in the Itemization all to be reasonable.

B. In the Court's discretion, and under all the circumstances, the Court determines that the Debtor should be required to pay 25% of the \$3,237.50 fee amount, as an appropriate remedy for the Debtor's civil contempt. The Court discounts the amount of fees that the Debtor must pay to this extent, because of the efforts the Debtor did make, under all the circumstances, to comply with the December 9, 2020 Order, and because of the Debtor's financial circumstances.

Accordingly,

IT IS ORDERED that:

1. The Debtor must pay to the Trustee the sum of \$809.38. The Debtor must pay such amount no later than November 15, 2021.
2. Judgment is entered in favor of the Chapter 7 Trustee, Michael Stevenson, and against the Debtor, Darrell Parnell, in the amount stated in paragraph 1 above, namely, \$809.38. If and to the extent the Debtor does not pay this amount to the Trustee on or before November 15, 2021, the Trustee may seek to collect the unpaid amount by any means permitted by law to collect federal court money judgments.

**Signed on November 1, 2021**



/s/ **Thomas J. Tucker**

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**Thomas J. Tucker**  
**United States Bankruptcy Judge**